

EXPRESS MAIL NUMBER
EV335996168 US

Atty Dkt. No.: 10020005-1
10/080,879

PETITION TO THE COMMISSIONER UNDER 37 C.F.R. § 1.181 Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket	10020005-1
	First Named Inventor	Truche
	Application Number	10/080,879
	Filing Date	February 22, 2002
	Group Art Unit	2881
	Examiner Name	Bernard E. Souw
	Title	<i>Apparatus and method for ion production enhancement</i>

Sir:

This petition is submitted to the Commissioner of Patents and Trademarks under 37 C.F.R. § 1.181.

Please charge the \$130.00 fee for filing this Petition to Account No. 50-1078. If this fee is incorrect, please charge or credit the account accordingly.

The Applicants hereby petition the Commissioner of Patents and Trademarks to permanently expunge the Office Action dated June 18, 2003, from the above-referenced file. Applicants request favorable consideration of this petition for the following reason:

The above-referenced Office Action is generally inaccurate and uncourteous to the Applicants.

Further, the above-referenced Office Action has been withdrawn, and a revised Office Action was mailed by the Office on November 25, 2003. Accordingly, the Applicants will not respond the above-referenced Office Action, and there is no need for the above-referenced Office Action to be kept in the file.

Since the above-referenced Office Action is generally inaccurate and uncourteous to the Applicants, and since the Office Action has already been withdrawn and replaced, the Applicants respectfully petition the Commissioner of Patents and Trademarks to permanently expunge the above-referenced Office Action from the file.

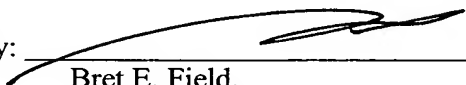
02/12/2004 JBALINAN 00000119 501078 10080879

01 FC:1460 130.00 DA

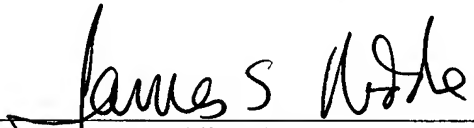
The Commissioner is hereby authorized to charge any additional fees which may be required by this petition, or to credit any overpayment, to Deposit Account No. 50-1078.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: 2/5/04

By: 
Bret E. Field.
Registration No. 37,620

Date: 2/5/04

By: 
James S. Keddie, Ph.D.
Registration No. 48,920

BOZICEVIC, FIELD & FRANCIS LLP
200 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 327-3400
Facsimile: (650) 327-3231

F:\DOCUMENT\AGILA\142 (10020005-1)\PETITION TO EXPUNGE OFFICE ACTION.DOC

Image
AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Boulder, Colorado 80537-0599

02-09-04
2881
PATENT APPLICATION

ATTORNEY DOCKET NO. 10020005-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

OLD E
FEB 6 5 2004
PATENT & TRADEMARK OFFICE
Inventor(s): Truche

Serial No.: 10/080,879

Examiner: Bernard E. Souw

Filing Date: 02-22-2002

Group Art Unit: 2881

Title: Apparatus and Method for Ion Production Enhancement

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- () Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee (Address envelope to "Mail stop Non-Fee Amendments")
(X) Other: Petition (fee \$ 130.00)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$86	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$ 130
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 130

Charge \$ 130 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

"Express Mail" label no. EV333998168US

Date of Deposit 02-05-2004

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

By *Donna Macedo*

Typed Name: Donna Macedo

Respectfully submitted,

Truche

By *Bret Field*

Bret Field for Timothy Joyce

Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: 02-05-2004